



11-23-01

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**REQUEST FOR CONTINUED
EXAMINATION (RCE) TRANSMITTAL**

Application Number: 09/173,821
First Named Inventor: Philip Spencer
Group Art Unit: 1633
Examiner Name: S. Kaushal
Customer Service No.: 21003
Attorney Docket No.: A32040-PCT-USA-A
Total Pages: _____

BY EXPRESS MAIL - LABEL NO. EF321682912US

November 21, 2001

U.S. Patent and Trademark Office
Box RCE
P.O. Box 2327
Arlington, Virginia 22202

Sir:

This is a Request for Continued Examination (RCE) of prior application No. 09/173,821 filed on October 16, 1998, entitled CONDITIONALLY IMMORTALISED CELL LINES DERIVED FROM TRANSGENIC ANIMALS".

Submission Required under 37 C.F.R. § 1.114:

- ☐ Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☒ An amendment is enclosed.
- ☐ Affidavit(s)/Declaration(s) enclosed.
- ☐ Information Disclosure Statement (IDS) is enclosed.
☐ PTO-1449
☐ Copies of IDS Citations
- ☐ Other _____.
- ☒ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of three months. (*Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) is required.*)

The term for response or taking action in the prior application expires on November 23, 2001.

- ☒ An Extension of Time to respond to the PTO communication dated May 23, 2001 is hereby requested under 37 C.F.R. § 1.136(a).

NY02:358110.1

11/26/2001 HVALHNS1 00000035 09173821

01 FC:279

370.00 OP

02 FC:122

130.00 OP

FEE CALCULATION:

[X] The fee for an extension of time to respond (37 C.F.R. § 1.17(1)-(5)) is calculated as shown below:

	<u>Extension (months)</u>	<u>Other Than A Small Entity Rate Fee</u>	<u>Fee for small entity</u>
[]	one month	\$55.00	\$110.00
[]	two months	\$200.00	\$400.00
[X]	three months	\$460.00	\$920.00
[]	four months	\$720.00	\$1,440.00
[]	five months	\$980.00	\$1,960.00
[]	Other		

[] The claim amendment fee is calculated as shown below:

	<u>Claims remaining after amendment (Col. 1)</u>	<u>Highest No. Prev. Paid for (Col. 2)</u>	<u>Present extra (Col. 3)</u>	<u>Small Entity Rate Fee</u>	<u>or</u>	<u>Other Than A Small Entity Rate Fee</u>
Total	*	Minus **	= 0	x 9 =	\$0	or x 18 = \$0
Ind.	*	Minus ***	= 0	x 42 =	\$0	or x 84 = \$0
() First Presentation of Multiple Dependent Claim				+ 140 =	\$0	or +280 = \$0
Total Claim Amendment Fee:						\$0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. prev. paid for" in this space is less than 20, write "20" in this space.

*** If the "Highest No. prev. paid for" in this space is less than 3, write "3" in this space.

FEE PAYMENT BEING MADE:

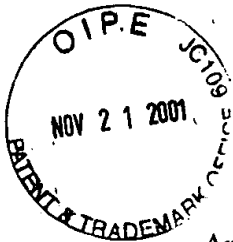
[X]	Extension of time fee (from above)	\$460.00
[]	Claim amendment fee (from above)	\$0.00
[X]	RCE filing fee –small entity: \$370.00 (37 C.F.R. § 1.17(e))	\$370.00
[]	RCE filing fee –other than small entity: \$740.00 (37 C.F.R. § 1.17(e))	\$0.00
[X]	Suspension of action fee: \$130.00 (37 C.F.R. § 1.17(i))	<u>\$130.00</u>
TOTAL FEE DUE:		\$ 960.00

[X] A check in the amount of \$ 960.00 is enclosed.

[] The Commissioner is hereby authorized to charge \$_____ to Deposit Account No. 02-4377. Duplicate copies of this sheet are enclosed.

[X] The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the submission of this communication, including any fees under 37 C.F.R. § 1.16, 1.17, or 1.21(h), and to credit any over payments, to Deposit Account No. 02-4377. Duplicate copies of this sheet are enclosed.

BAKER BOTTS L.L.P.
By: Rochelle K. Seide
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20/11/28/11 A32040-PCT-USA-A 07286.0102

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rudland et al.
Serial No. : 09/173,821 Examiner: Kaushal, S.
Filed : October 6, 1998 Group Art Unit: 1633
For : CONDITIONALLY IMMORTALISED CELL LINES DERIVED
FROM TRANSGENIC ANIMALS

AMENDMENT

EXPRESS MAIL – LABEL NO.: EF321682912US

U.S. Patent and Trademark Office
BOX RCE
P.O.Box 2327
Arlington, Virginia 22202

Sir:

This Amendment is in response to the Office Action dated May 23, 2001.

A Request for Continued Examination, a Request for an Extension of time to respond to the Office Action, A Request for Suspension of Action on the above identified action under 37 C.F.R. § 1.103(c), and the appropriate fees are filed concurrently herewith.

IN THE CLAIMS:

✓
Please delete claim 6.

Please amend claims 1, 7, 8, 13, 17, 18, 25, 29, 30, and 32 as follows:

1. (Thrice Amended) A neuronal cell line obtained from a transgenic rat, the cells of which comprise:

(i) a conditional oncogene, transforming gene or immortalizing gene or a cell cycle affecting gene operably linked to

(ii) a cell type specific promoter,

11/26/2001 HUWONG1 00000035 09173821

03 FC:217

460.00 OP

NY02:357357.2